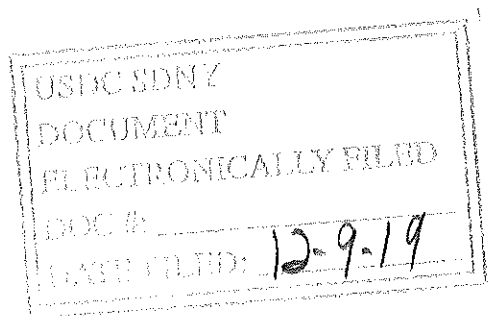


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



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UNITED STATES OF AMERICA :

S-2 17 Cr. 548 (PAC)

-v- :

ORDER

JOSHUA ADAM SCHULTE, :

Defendant. :

-----X
HONORABLE PAUL A. CROTTY, United States District Judge:

On November 25, 2019, James M. Branden, counsel for defendant, requested that the trial of this matter now scheduled to begin on for Monday, January 13, 2020, be adjourned for at least six months. On December 3, 2019, Sabrina Shroff, counsel for defendant, submitted a separate request for an adjournment of the trial date, but did not specify the length of the adjournment.

The Government objects to the adjournment, pointing out that this is the third request for an adjournment.¹ Furthermore, defendant has had extensive discovery, including, among other items, access to witness interviews, a Government proffer of its proof, and a bill of particulars.

On October 25, 2019, Mr. Branden sought appointment as additional trial counsel in view of the “extraordinary complexity, and the imminent trial date of January 13, 2020.” On October 28, 2019, the Court endorsed his request for appointment as follows:

In light of the trial schedule, and the need for an attorney to have the necessary security clearance, as well as counsel’s availability for a 3 to 4 week trial, the Court will appoint James M. Branden as additional counsel to defendant Schulte.

¹ The matter was initially scheduled for trial in April, 2019. That date was adjourned to November, 2019, and subsequently to January 13, 2020.

In less than a month, Mr. Branden sought a six-month adjournment, claiming the volume and complexity of the matter makes the request mandatory. But there has been no changes in circumstances since Mr. Branden was appointed. His request for adjournment is denied.

Ms. Shroff argues that the “delphic” Government disclosure concerning a removable thumb drive and its role in the alleged theft of confidential information created a substantial waste of time which caused delay. But even if the Government’s disclosure was inadequate or perhaps not as clear as it might have been, the Government has now clarified its theory of the theft and how it was carried out.

Nonetheless, the Court recognizes the need for one final adjournment of the trial date from Monday, January 13, 2020 to Monday, February 3, 2020. There will be no further adjournments.

Dated: New York, New York
December 9, 2019

SO ORDERED



PAUL A. CROTTY
United States District Judge